

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

SONJA WHITEMORE)	
)	
Plaintiff,)	
)	CASE NO.
vs.)	
)	
BBC WORLDWIDE LTD, BBC WORLDWIDE)	
PRODUCTIONS, BBC WORLDWIDE)	
AMERICA, NBC UNIVERSIAL, GOSPEL)	
MUSIC CHANNEL, and PATRICIA LOUISE)	
HOLT EDWARDS a/k/a PATTI LABELLE)	
)	
Defendants.)	
)	

COMPLAINT

Plaintiff, SONJA WHITEMORE, an individual, by and through her attorneys, LIFE LAW OFFICE, for their complaint against Defendants BBC WORLDWIDE, BBC WORLDWIDE PRODUCTIONS, BBC WORLDWIDE AMERICA, NBC UNIVERSIAL, GOSPEL MUSIC CHANNEL and PATTI LABELLE, allege and states as follows:

NATURE OF ACTION

1. This is a civil action seeking damages for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 et seq.).

THE PARTIES

2. Plaintiff Sonja G. Whitmore is a citizen of Illionis domiciled at 160 West Raye Drive, Chicago Heights, Illinois 60411.

3. Defendant BBC Worldwide Ltd. is a subsidiary of the British Broadcast Corporation with registered office in Media Centre, 201 Wood Lane, London, W12 7TQ, United Kingdom. BBC Worldwide Ltd. currently has offices located in Chicago, Illinois.

4. Defendant BBC Worldwide Productions is a subsidiary of the British Broadcast Corporation, a foreign corporation with its principal place of business in London, United Kingdom. BBC Worldwide Production is a global provider of television entertainment with offices in Los Angeles, California and Chicago, Illinois.

5. Defendant BBC Worldwide America is a subsidiary of the British Broadcast Corporation, a foreign corporation with its principal place of business in London, United Kingdom. BBC Worldwide America is a global provider of television entertainment with offices in New York, New York and Chicago, Illinois.

6. Defendant NBC Universal is a corporation having principal place of business at 30 Rockefeller Plaza, New York, New York 10112. NBC Universal is a television distributor with offices in Chicago, Illinois.

7. Defendant Gospel Music Channel is a corporation having principal place of business in Atlanta, Georgia. Gospel Music Channel is a global entertainment television distributor with offices in Chicago, Illinois.

8. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle is a citizen of Philadelphia, Pennsylvania.

JURISDICTION AND VENUE

9. As an action arising under the Copyright Act, 17 U.S.C. § 101 *et seq.*, this Court has exclusive jurisdiction under 28 U.S.C. § 1331 and 1338.

10. This Court has personal jurisdiction over Defendant BBC Worldwide. On information and belief, at all times relevant hereto, Defendant BBC Worldwide solicits, transacts and does business within the state of Illinois and has committed unlawful and tortuous acts both within and outside the State of Illinois causing injury in Illinois. Plaintiff's claims arise out of the conduct which gives rise to personal jurisdiction to Defendant BBC Worldwide.

11. This Court has personal jurisdiction over Defendant BBC Worldwide Productions. On information and belief, at all times relevant hereto, Defendant BBC Worldwide Productions solicits, transacts and does business within the state of Illinois and has committed unlawful and tortuous acts both within and outside the State of Illinois causing injury in Illinois. Plaintiff's claims arise out of the conduct which gives rise to personal jurisdiction to Defendant BBC Worldwide Productions.

12. This Court has personal jurisdiction over Defendant BBC Worldwide Americas. On information and belief, at all times relevant hereto, Defendant BBC Worldwide Americas solicits, transacts and does business within the state of Illinois and has committed unlawful and tortuous acts both within and outside the State of Illinois causing injury in Illinois. Plaintiff's claims arise out of the conduct which gives rise to personal jurisdiction to Defendant BBC Worldwide Americas.

13. This Court has personal jurisdiction over Defendant NBC Universal. On information and belief, at all times relevant hereto, Defendant NBC Universal solicits, transacts and does business within the state of Illinois and has committed unlawful and tortuous acts both within and outside the State of Illinois causing injury in Illinois.

Plaintiff's claims arise out of the conduct which gives rise to personal jurisdiction to Defendant NBC Universal.

14. This Court has personal jurisdiction over Defendant Gospel Music Channel. On information and belief, at all times relevant hereto, Defendant Gospel Music Channel solicits, transacts and does business within the state of Illinois and has committed unlawful and tortuous acts both within and outside the State of Illinois causing injury in Illinois. Plaintiff's claims arise out of the conduct which gives rise to personal jurisdiction to Defendant Gospel Music Channel.

15. This Court has personal jurisdiction over Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle. On information and belief, at all times relevant hereto, Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle solicits, transacts and does business within the state of Illinois and has committed unlawful and tortuous acts both within and outside the State of Illinois causing injury in Illinois. Plaintiff's claims arise out of the conduct which gives rise to personal jurisdiction to Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle.

16. Venue is proper in this Court pursuant to 28 U.S.C. §§1391 and 1400(a).

GENERAL ALLEGATIONS

17. Plaintiff Sonja Whitmore is and at all relevant times has been a copyright owner and owns exclusive rights under United States copyright to the music, words and arrangement to a song entitled "More Abundantly." Copyright registration number PAu001371847.

18. Among the exclusive rights granted to Plaintiff Sonja Whitmore is the right to license her work for reproduction, record and transmit her work.

19. On or about October 2007, Defendants BBC Worldwide, BBC Worldwide Productions, BBC Worldwide America and Patricia Louise Holt Edwards a/k/a Patti LaBelle created and produced a television program entitled Clash of the Choirs.

20. The television program entitled Clash of the Choirs was a reality game show which place five different choirs, led by celebrities including Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle to compete.

21. On or about November 2007, Defendants BBC Worldwide, BBC Worldwide Productions, and BBC Worldwide America sold this program to Defendant NBC Universal for national distribution via television transmissions.

22. On or about December 17, 2007, the television program, Clash of the Choirs aired via television transmissions across the nation by Defendant NBC Universal.

23. On or about December 17, 2007, Defendants Patricia Louise Holt Edwards a/k/a Patti LaBelle, BBC Worldwide, BBC Worldwide Productions, BBC Worldwide America, and NBC Universal performed, recorded and transmitted a performance entitled "He's Got the Whole World In His Hands." Defendants actually performed and transmitted a medley of "He's Got the Whole World In His Hands," "More Abundantly," and "All In His Hands."

24. At no time did any of the Defendants seek permission to use the song "More Abundantly."

25. Defendants BBC Worldwide, BBC Worldwide Productions, BBC Worldwide America and Patricia Louise Holt Edwards a/k/a Patti LaBelle knew the song "More Abundantly," was owned by Plaintiff Sonja Whitmore and intentionally sang, reproduced, recorded and transmitted this song.

26. On or about May 28, 2009 Defendant Gospel Music Channel purchased the rights to re-record and transmit the television program “Clash of the Choirs” including the infringing performance and production of Plaintiff’s song, “More Abundantly.”

27. On or about June 3, 2009 Defendant Gospel Music Channel re-recorded and transmitted the television program “Clash of the Choirs” including the infringing performance and production of Plaintiff’s song, “More Abundantly.”

28. On or about June 9, 2009 Plaintiff Sonja Whitmore learned that her song, “More Abundantly,” was used without her permission on the television program “Clash of the Choir.”

COUNT I
COPYRIGHT INFRINGEMENT BBC WORLDWIDE

29. Plaintiff repeats and incorporates every previous allegation set forth in paragraphs 1 through 28 inclusively.

30. At all relevant times, Plaintiff owned the copyright for the work “More Abundantly,” which was reproduced, copied, recorded and transmitted by the Defendants.

31. Without authorization or permission, Defendant BBC Worldwide reproduced, copied, recorded and transmitted.

32. Plaintiff did not authorized Defendant BBC Worldwide to reproduce, copy, record or transmit her work.

Defendant BBC Worldwide Willfully Infringed Plaintiff’s Registered Copyright

33. Defendant BBC Worldwide, through its agents and representatives know that the song presented on the television program “Clash of the Choir” entitled “He’s Got the

Whole World In His Hands” was not one single song, but rather a medley of songs including “More Abundantly” which was not in the public domain.

34. Defendant BBC Worldwide, through its agents and representatives knew Plaintiff owned the work “More Abundantly.”

35. Defendant BBC Worldwide intentionally and willfully choose to produce, record, perform and transmit Plaintiff’s work without her permission.

36. As a result of Defendant’s wrongful conduct, Defendant is liable to Plaintiff for copyright infringement pursuant to 17 U.S.C. § 501. Plaintiff has suffered and continues to suffer substantial losses including but not limited to damage to her business and reputation and goodwill.

37. Plaintiff is entitled to recover damages, which include her losses and any and all profits Defendant made as a result of its wrongful conduct. 17 U.S.C. § 504.

Alternatively, Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c).

38. In addition, because Defendant’s actions were willful, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

39. Plaintiff is entitled to recover her attorney’s fees and costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant’s profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT II
COPYRIGHT INFRINGEMENT BBC WORLDWIDE PRODUCTIONS

40. Plaintiff repeats and incorporates every previous allegation set forth in paragraphs 1 through 28 inclusively.

41. At all relevant times, Plaintiff owned the copyright for the work “More Abundantly,” which was reproduced, copied, recorded and transmitted by the Defendants.

42. Without authorization or permission, Defendant BBC Worldwide Productions reproduced, copied, recorded and transmitted.

43. Plaintiff did not authorized Defendant BBC Worldwide Productions to reproduce, copy, record or transmit her work.

Defendant BBC Worldwide Productions
Willfully Infringed Plaintiff’s Registered Copyright

44. Defendant BBC Worldwide Productions, through its agents and representatives know that the song presented on the television program “Clash of the Choir” entitled “He’s Got the Whole World In His Hands” was not one single song, but rather a medley of songs including “More Abundantly” which was not in the public domain.

45. Defendant BBC Worldwide Productions, through its agents and representatives knew Plaintiff owned the work “More Abundantly.”

46. Defendant BBC Worldwide Productions intentionally and willfully choose to produce, record, perform and transmit Plaintiff’s work without her permission.

47. As a result of Defendant’s wrongful conduct, Defendant is liable to Plaintiff for copyright infringement pursuant to 17 U.S.C. § 501. Plaintiff has suffered and continues to suffer substantial losses including but not limited to damage to her business and reputation and goodwill.

48. Plaintiff is entitled to recover damages, which include her losses and any and all profits Defendant made as a result of its wrongful conduct. 17 U.S.C. § 504.

Alternatively, Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c).

49. In addition, because Defendant's actions were willful, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

50. Plaintiff is entitled to recover her attorney's fees and costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT III
COPYRIGHT INFRINGEMENT BBC WORLDWIDE AMERICA

51. Plaintiff repeats and incorporates every previous allegation set forth in paragraphs 1 through 28 inclusively.

52. At all relevant times, Plaintiff owned the copyright for the work "More Abundantly," which was reproduced, copied, recorded and transmitted by the Defendants.

53. Without authorization or permission, Defendant BBC Worldwide America reproduced, copied, recorded and transmitted.

54. Plaintiff did not authorized Defendant BBC Worldwide America to reproduce, copy, record or transmit her work.

Defendant BBC Worldwide America

Willfully Infringed Plaintiff's Registered Copyright

55. Defendant BBC Worldwide America, through its agents and representatives know that the song presented on the television program "Clash of the Choir" entitled "He's Got the Whole World In His Hands" was not one single song, but rather a medley of songs including "More Abundantly" which was not in the public domain.

56. Defendant BBC Worldwide America, through its agents and representatives knew Plaintiff owned the work "More Abundantly."

57. Defendant BBC Worldwide America intentionally and willfully choose to produce, record, perform and transmit Plaintiff's work without her permission.

58. As a result of Defendant's wrongful conduct, Defendant is liable to Plaintiff for copyright infringement pursuant to 17 U.S.C. § 501. Plaintiff has suffered and continues to suffer substantial losses including but not limited to damage to her business and reputation and goodwill.

59. Plaintiff is entitled to recover damages, which include her losses and any and all profits Defendant made as a result of its wrongful conduct. 17 U.S.C. § 504.

Alternatively, Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c).

60. In addition, because Defendant's actions were willful, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

61. Plaintiff is entitled to recover her attorney's fees and costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the

amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT IV
COPYRIGHT INFRINGEMENT NBC UNIVERSAL

62. Plaintiff repeats and incorporates every previous allegation set forth in paragraphs 1 through 28 inclusively.

62. At all relevant times, Plaintiff owned the copyright for the work "More Abundantly," which was reproduced, copied, recorded and transmitted by the Defendants.

63. Without authorization or permission, Defendant NBC Universal reproduced, copied, recorded and transmitted.

64. Plaintiff did not authorized Defendant NBC Universal to reproduce, copy, record or transmit her work.

Defendant NBC Universal Willfully Infringed Plaintiff's Registered Copyright

65. Defendant NBC Universal, through its agents and representatives know that the song presented on the television program "Clash of the Choir" entitled "He's Got the Whole World In His Hands" was not one single song, but rather a medley of songs including "More Abundantly" which was not in the public domain.

66. Defendant NBC Universal, through its agents and representatives knew Plaintiff owned the work "More Abundantly."

67. Defendant NBC Universal intentionally and willfully choose to produce, record, perform and transmit Plaintiff's work without her permission.

68. As a result of Defendant's wrongful conduct, Defendant is liable to Plaintiff for copyright infringement pursuant to 17 U.S.C. § 501. Plaintiff has suffered and continues

to suffer substantial losses including but not limited to damage to her business and reputation and goodwill.

69. Plaintiff is entitled to recover damages, which include her losses and any and all profits Defendant made as a result of its wrongful conduct. 17 U.S.C. § 504.

Alternatively, Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c).

70. In addition, because Defendant's actions were willful, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

71. Plaintiff is entitled to recover her attorney's fees and costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT V
COPYRIGHT INFRINGEMENT PATRICIA LOUISE HOLT EDWARDS

72. Plaintiff repeats and incorporates every previous allegation set forth in paragraphs 1 through 28 inclusively.

73. At all relevant times, Plaintiff owned the copyright for the work "More Abundantly," which was reproduced, copied, recorded and transmitted by the Defendants.

74. Without authorization or permission, Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle reproduced, copied, recorded and transmitted.

75. Plaintiff did not authorized Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle to reproduce, copy, record or transmit her work.

Defendant Patricia Louise Holt Edwards
Willfully Infringed Plaintiff's Registered Copyright

76. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle, individually and through her agents and representatives knew that the song presented on the television program "Clash of the Choir" entitled "He's Got the Whole World In His Hands" was not one single song, but rather a medley of songs including "More Abundantly" which was not in the public domain.

77. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle, individually and through her agents and representatives knew Plaintiff owned the work "More Abundantly."

78. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle intentionally and willfully choose to produce, record, perform and transmit Plaintiff's work without her permission.

79. As a result of Defendant's wrongful conduct, Defendant is liable to Plaintiff for copyright infringement pursuant to 17 U.S.C. § 501. Plaintiff has suffered and continues to suffer substantial losses including but not limited to damage to her business and reputation and goodwill.

80. Plaintiff is entitled to recover damages, which include her losses and any and all profits Defendant made as a result of its wrongful conduct. 17 U.S.C. § 504.

Alternatively, Plaintiff is entitled to statutory damages under 17 U.S.C. § 504(c).

81. In addition, because Defendant's actions were willful, the award of statutory damages should be enhanced in accordance with 17 U.S.C. § 504(c)(2).

82. Plaintiff is entitled to recover her attorney's fees and costs pursuant to 17 U.S.C. § 505.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT VI
CONTRIBUTORY COPYRIGHT INFRINGEMENT BBC WORLDWIDE

83. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

84. Numerous individuals and entities directly infringed Plaintiff's copyrighted works.

85. Defendant BBC Worldwide induced, caused and materially contributed to the infringing acts of others by encouraging, inducing, allowing and assisting others to reproduce and distribute Plaintiff's work.

86. Defendant BBC Worldwide had knowledge of the infringing acts relating to Plaintiff's copyrighted work.

87. The acts and conduct of Defendant BBC Worldwide, as alleged above in this Complaint constitute contributory copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the

amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT VII
CONTRIBUTORY COPYRIGHT INFRINGEMENT
BBC WORLDWIDE PRODUCTIONS

88. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

89. Numerous individuals and entities directly infringed Plaintiff's copyrighted works.

90. Defendant BBC Worldwide Productions induced, caused and materially contributed to the infringing acts of others by encouraging, inducing, allowing and assisting others to reproduce and distribute Plaintiff's work.

91. Defendant BBC Worldwide Productions had knowledge of the infringing acts relating to Plaintiff's copyrighted work.

92. The acts and conduct of Defendant BBC Worldwide Production, as alleged above in this Complaint constitute contributory copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT VIII
CONTRIBUTORY COPYRIGHT INFRINGEMENT
BBC WORLDWIDE AMERICA

93. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

94. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

95. Defendant BBC Worldwide America induced, caused and materially contributed to the infringing acts of others by encouraging, inducing, allowing and assisting others to reproduce and distribute Plaintiff's work.

96. Defendant BBC Worldwide America had knowledge of the infringing acts relating to Plaintiff's copyrighted work.

97. The acts and conduct of Defendant BBC Worldwide America, as alleged above in this Complaint constitute contributory copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT IX
CONTRIBUTORY COPYRIGHT INFRINGEMENT NBC UNIVERSAL

98. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

99. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

100. Defendant NBC Universal induced, caused and materially contributed to the infringing acts of others by encouraging, inducing, allowing and assisting others to reproduce and distribute Plaintiff's work.

101. Defendant NBC Universal had knowledge of the infringing acts relating to Plaintiff's copyrighted work.

102. The acts and conduct of Defendant NBC Universal, as alleged above in this Complaint constitute contributory copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT X
CONTRIBUTORY COPYRIGHT INFRINGEMENT
PATRICIA LOUISE HOLT EDWARDS

103. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

104. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

105. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle induced, caused and materially contributed to the infringing acts of others by encouraging, inducing, allowing and assisting others to reproduce and distribute Plaintiff's work.

106. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle had knowledge of the infringing acts relating to Plaintiff's copyrighted work.

107. The acts and conduct of Defendants, as alleged above in this Complaint constitute contributory copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff

as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT XI

VICAROUS COPYRIGHT INFRINGEMENT BBC WORLDWIDE

108. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

109. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

110. Defendant BBC Worldwide had the right and ability to control the infringing acts of the individuals or entities who directly infringed Plaintiff's works.

111. Defendant BBC Worldwide obtained a direct financial benefit from the infringing activities of the individuals or entities who directly infringed Plaintiff's work.

112. The acts and conduct of Defendant BBC Worldwide, as alleged above in this Complaint constitute vicarious copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT XII

**VACARIOUS COPYRIGHT INFRINGEMENT
BBC WORLDWIDE PRODUCTIONS**

113. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

114. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

115. Defendant BBC Worldwide Production had the right and ability to control the infringing acts of the individuals or entities who directly infringed Plaintiff's work.

116. Defendant BBC Worldwide Production obtained a direct financial benefit from the infringing activities of the individuals or entities who directly infringed Plaintiff's work.

117. The acts and conduct of Defendant BBC Worldwide Production, as alleged above in this Complaint constitute vicarious copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT XIII
VACARIOUS COPYRIGHT INFRINGEMENT BBC WORLDWIDE AMERICA

118. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

119. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

120. Defendant BBC Worldwide America had the right and ability to control the infringing acts of the individuals or entities who directly infringed Plaintiff's work.

121. Defendant BBC Worldwide America obtained a direct financial benefit from the infringing activities of the individuals or entities who directly infringed Plaintiff's work.

122. The acts and conduct of Defendant BBC Worldwide America, as alleged above in this Complaint constitute vicarious copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT XIV
VACARIOUS COPYRIGHT INFRINGEMENT NBC UNIVERSAL

123. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

124. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

125. Defendant NBC Universal had the right and ability to control the infringing acts of the individuals or entities who directly infringed Plaintiff's work.

126. Defendant NBC Universal obtained a direct financial benefit from the infringing activities of the individuals or entities who directly infringed Plaintiff's work.

127. The acts and conduct of Defendant NBC Universal, as alleged above in this Complaint constitute vicarious copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

COUNT XV
VACARIOUS COPYRIGHT INFRINGEMENT
PATRICIA LOUISE HOLT EDWARDS

128. Plaintiff repeats and incorporates by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

129. Numerous individuals and entities directly infringed Plaintiff's copyrighted work.

130. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle had the right and ability to control the infringing acts of the individuals or entities who directly infringed Plaintiff's work.

131. Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle obtained a direct financial benefit from the infringing activities of the individuals or entities who directly infringed Plaintiff's work.

132. The acts and conduct of Defendant Patricia Louise Holt Edwards a/k/a Patti LaBelle, as alleged above in this Complaint constitute vicarious copyright infringement.

WHEREFORE, Plaintiff Sonja Whitmore respectfully requests this Court to enter the following relief against Defendant BBC Worldwide, judgment in favor of the Plaintiff as to this count, award damages in the amount to be determined by a jury, including the amount of damages for Defendant's profits for willful infringement, enter a judgment that the infringement was willful and such relief which the Court deems just and proper.

JURY DEMAND

133. Pursuant to FED. R. CIV. P. 38(b) Plaintiff respectfully demands a trial by jury of all issues triable by a jury in her Complaint.

Date:

Respectfully submitted,

/s/ Travis Life
Attorney for the Plaintiff

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